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FM AMEMBASSY ADDIS ABABA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7343  
INFO RUEHZO/AFRICAN UNION COLLECTIVE PRIORITY  
RHEHAAA/NSC WASHDC PRIORITY  
RUCNDT/USMISSION USUN NEW YORK PRIORITY 8015  
RUEHBS/USEU BRUSSELS PRIORITY

UNCLAS SECTION 01 OF 02 ADDIS ABABA 000012

SENSITIVE  
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DEPT FOR AF/FO, AF/E MARIA BEYZEROV  
PARIS FOR WALLACE BAIN

E.O. 12958: N/A  
TAGS: [PREL](#) [PGOV](#) [MA](#) [AU](#)  
SUBJECT: ICG FAILS TO DELIVER FOR MADAGASCAR

REF: 09 ANTANANARIVO 887

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11. (SBU) SUMMARY: On January 6, the African Union (AU) convened a meeting of members of the International Contact Group on Madagascar (ICG-M) in Addis Ababa to discuss the country's ongoing political crisis, and develop a common position towards regime leader Andry "TGV" Rajoelina's recent unilateral departure from the negotiation process. While there was consensus on the ultimate need for free and fair elections to bring an end to this crisis, members were divided on several key issues, including the possibility for a return to the framework reached during talks in Maputo and Addis Ababa from August to November 2009, the utility of targeted sanctions to bring political actors back to the negotiating table, and the likely success or failure of elections held in the current political climate. The U.S. delegation, led by Ambassador Phillip Carter, was in the majority in supporting a return to dialogue under renewed international mediation with a more focused mandate. France, represented by Secretary of State for Cooperation and the Francophonie Alain Joyandet, strongly supported a move to elections as soon as possible, declaring the Maputo/Addis agreements unworkable and deflecting blame from Rajoelina for their failure. The resulting communique is weak, unclear, and leaves much to be resolved. AU Chairperson Jean Ping has inserted himself into the mediation, and appears to be personally taking the reins from current senior Southern African Development Community (SADC) mediator Joaquim Chissano; his planned trip to Madagascar in the near future is unlikely to resolve an impasse that he clearly underestimates, and the ICG's punt on sanctions will necessitate further dialogue once he fails to deliver. END SUMMARY.

#### SOME COMMON GROUND

12. (SBU) To all in the ICG, the status quo is considered unsustainable and will likely lead to further instability and political unrest in Madagascar. There was general agreement that Malagasy parties need to be held accountable should they continue to pose obstacles to credible elections. This view was vocally supported by delegations from Uganda and Nigeria, and the EU delegation confirmed that their current deliberations under Article 96 of the Cotonou treaty would result in a termination of foreign assistance by late February 2010 if the status quo persisted.

13. (SBU) Furthermore, ICG members unanimously supported free and fair elections as the only real solution to Madagascar's ongoing political crisis, despite differences on the timeline and conditions under which they could be held. There was broad agreement as well that the ICG should avoid assigning blame for the recent breakdown of negotiations, and seek only to condemn unilateral moves from any party; the standard language of "consensus and inclusivity" permeated the discussion. Similarly, the members agreed on the need to apply pressure on all parties in Madagascar, and ensure that the

three former presidents too understood the need for flexibility on their part in developing a durable solution. Seeking to identify the international community's own role in the failure of negotiations, all parties agreed that the mediation effort under Chissano had suffered from an unclear structure, and would benefit from a clearer mandate that resolved any real or perceived conflicts between SADC and the AU.

#### DIVISIONS HARDEN

14. (SBU) There was fundamental disagreement on a number of issues that was not resolved by the end of the day; chief among them was the question of how and when to hold elections. In line with recent statements from Paris, the French delegation advocated conditional support for Rajoelina's election plan, stating that it was a positive development that should be applauded, despite its unilateral origins. They were joined by the delegations of the Francophonie (OIF) and the Indian Ocean Commission (COI) in their regret that the ICG had failed thus far to resolve the crisis or present plausible alternatives, and stated that the ICG should accept that elections are the only way forward, and use our influence to ensure that a transparent and credible process unfolds to facilitate them.

15. (SBU) The rest of the ICG disagreed, some forcefully. The United States was joined by the European Union, Britain, Japan, Uganda, Nigeria, COMESA, Russia and China in expressing the need for a return to inclusive dialogue before any election plans can be discussed. Ambassador Carter raised concerns about the transition government's ability to maintain order, rein in human rights abuses and attacks against the media, and provide even a minimum of political space for opposition politicians given their track record over the last year. The Japanese delegation proposed that the ICG announce publicly that it would not support such elections, and if they are held, that the results would not be recognized. Among

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others, the Ugandan and Nigerian delegations made similar statements, all focusing on the need to condemn Rajoelina's unilateral actions and return to negotiations before any discussion of elections.

16. (SBU) This division, which isolated France and its francophone allies, repeated itself in two other key issues: the possibility of reviving the Maputo and Addis accords, and the utility of imposing sanctions against Rajoelina and his regime. Andre Parant, Africa advisor in the French Presidency, asserted privately that "Maputo is dead", summing up the root of the intra-ICG conflict: most members consider the Maputo and Addis accords a plausible base that the Malagasy parties simply failed to implement in good faith. The French delegation believes that its death was a predictable consequence of a flawed process, and that it should be left in the past. French delegates on several occasions contradicted Chissano's assertion that the controversial "Maputo III" resolutions, drawn up by the three opposition movements in early December, were nothing more than positions for further negotiation; Joyandet himself made clear his belief that they represented a move no less unilateral than Rajoelina's own withdrawal from talks the following week. For the rest of the ICG members, these agreements - which represent four months of negotiations - should serve as the framework for renewed talks.

17. (SBU) On the topic of sanctions, most ICG participants seemed to believe that sticks and carrots may be useful and necessary tools in the effort to return Madagascar to constitutional order. The Ugandan representative stated his position explicitly, saying there should be "selective sanctions against deviant parties who do not cooperate in the restoration of a constitutional government." France, however, continued to oppose sanctions, calling them counterproductive and more likely to be interpreted as the result of blame against one party or another - something to be studiously avoided at this time.

18. (SBU) Despite general agreement that the mediation team needed to be restructured and empowered with a solid AU mandate, this issue remained unresolved by the end of the day. It is unclear whether

Chissano will retain his position, and in any case he leaves this meeting with a very unclear mandate, and no apparent guidance from the ICG. AU Chairperson Jean Ping further muddled the waters by suggesting that he would make a personal trip to Madagascar in the next week, and would make recommendations to the Malagasy parties on how to unblock the situation; they would be given two weeks to respond to the ICG in writing - although there is no mention in the communique of penalties for non-compliance. The tacit understanding appears to be that the ICG could then take up discussion of sanctions, but it is unclear why the French/OIF/COI position would change as a result.

#### TOUGH DECISIONS POSTPONED

19. (SBU) COMMENT: The final communique, released at the end of the day on January 6 and likely to be widely distributed in Madagascar on January 7, will not please any parties, nor provide comfort to the Malagasy people, who had put great store in the ICG to deliver a clearer path forward. The United States stood firmly in support of consensus and inclusivity, inserted human rights and political freedom into the dialogue, and offered language on accountability and negotiations that would have represented progress, but French positions ensured that the final wording was weak and unclear, leaving the heavy lifting for another day. For the majority of the ICG, unilateral actions taken by Rajoelina are at the crux of the stalled mediation process. There are deep concerns about the credibility of the regime's proposed legislative elections slated for March 20. Ping may have to fail in his upcoming mission to Madagascar before the ICG can reasonably discuss what measures can be taken to press the four Malagasy movements back to the negotiation tables and to reestablish a credible electoral process. In all likelihood, the ICG will reconvene on the margins of the AU Summit within the next month in order to grapple once again with the question of restoring democratic rule in Madagascar. END COMMENT.

110. (U) This cable was cleared by Ambassador Carter.

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